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Town of North Reading
Massachusetts

TOWN CLERK
NORTH READING, MA

Community Planning

MINUTES

Tuesday, November 3, 2015

Mr. Christopher B. Hayden, Chairperson called the Tuesday, November 3, 2015 meeting of the Community Planning Commission to order at 7:32p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT: Christopher B. Hayden, Chairperson
William Bellavance, Vice Chairperson
Patricia Romeo, Clerk
Warren Pearce
Joseph Veno

STAFF

PRESENT: Danielle McKnight, Planning Administrator
Debra Savarese, Administrative Assistant

Mr. Hayden informed all present that the meeting is being recorded.

Minutes

Mrs. Romeo moved, seconded by Mr. Veno and voted 5-0:

that the Community Planning Commission vote to accept the minutes of October 13, 2015 as written.

Flash Road/ Bond Release

Mrs. McKnight stated that the commission did not want to release the bond money (\$990.00) until the trees were given time to grow. The town engineer did verbally tell her that the trees are good, but she did not receive a written memo.

Mr. Hayden stated that he would prefer to wait until they receive a memo from the town engineer.

250

150 Haverhill Street/12 Eisenhaure Lane - ANR

Mrs. Romeo moved, seconded by Mr. Bellavance and voted 5-0:

that the Community Planning Commission vote to endorse as "Approval-Not-Required; the plan entitled "Plan of Land in North Reading, Massachusetts (Middlesex County)"; dated October 23, 2015; drawn by LJR Engineering Inc.

157 Main Street/Firestone – minor modification

Luke Roy of LJR Engineering Inc. stated that he is representing the applicant for modification to the plan showing the new ADA route. He attended a meeting of the Commission on Disability on October 19th. They discussed the alternatives and were given feedback. Basically, his impression from that meeting was that they would prefer the ramp route that they were contemplating and was discussed at the last CPC meeting. However, they also offered feedback if they were to keep the existing sidewalk the way it is. Requirements for a rail and the clear width of the sidewalk needed to be confirmed, and there was a question as to the way the entrance/exit door needs to open. Since the meeting they have looked at the Mass. Code for Accessibility and there is a width requirement for a route that approaches the hinge side of the door, as far as how wide it should be for someone in a wheelchair to pass by it, turn and use the door from the other side. He discussed the feedback he received from the meeting with Firestone and basically the option between the ramp route that they are considering vs. the existing and some modifications that would have to be made. He has not received a clear

direction on this at this time but he wanted to talk to this board to see if the route that they are proposing would be approved and then they would have an option either way.

Mr. Hayden asked if the ramp was the same length as before.

Luke Roy stated that they have not modified it because there was discussion about this from the last meeting. The Commission on Disability preferred this route, although it is longer.

Michael Scannell of the Commission on Disability stated that generally speaking shorter is better, but because of some of the issues with the shorter route, they felt that even though the other route was longer, it may be better for a variety of reasons, the main reason being that because the door opens out into the sidewalk and there is approximately 9" from the ground.

Luke Roy stated that it is approximately 6 or 7 inches at the doorway and a rail would be placed at the corner.

Michael Scannell stated that there are two solutions. The ramp solution would put you on the right side of the door, but longer in distance. The other route, if you put a railing so that someone does not slide off into the parking lot that would take care of the corner. But the front door would need to be replaced with a door that slides to the side of the building instead of opening out or in. He does not know the cost differential between putting in that kind of automatic door vs. putting in the ramp.

Mr. Hayden stated that it seems that the Commission on Disability would prefer the shorter route if they can get the door fixed.

Michael Scannell stated that the shorter route is unacceptable if the door opens into his travel.

Luke Roy stated that they may be able to have the door open in. He was told by the architect that they could do it because of the size of the space.

Michael Scannell stated that it is against the fire code.

Mr. Hayden stated that the building inspector would probably be able to get the correct answer.

Mr. Veno stated that there is also an issue with a drain pipe at the ramp.

Luke Roy stated that they are aware of the drain pipe and it will be addressed.

Mr. Pearce stated that the board could just give a consensus that both routes would be acceptable and let Firestone decide.

Luke Roy asked if there could be a decision this evening.

Mr. Hayden stated that he and the Commission on Disability would like to see the short route.

Mr. Veno stated that he is also on the Commission on Disability and attended the meeting. The decision made that evening was that they wanted to leave the originally proposed sidewalk across the building if the design with the new ramp was selected. The CPC is concerned for the pedestrians walking through the parking lot.

Michael Scannell stated that if they decided to go with the short route he would like to see something from the building inspector stating that he has checked the regulations and the door as it exists meets code.

3 Wren Circle/Definitive Subdivision – Public hearing 8:04pm

Michael O'Neill of O'Neill Associates stated that he is representing the applicant. The parcel of land has frontage on 3 Wren Circle and also has some frontage that borders on Francis Street. The subdivision affects to abutting properties, one is landlocked and the other is 4 Wren Circle. They are proposing a private way from Francis Street. They are swapping a piece of property with the O'Keefe's to make a 50' right-of-way.

Jack Herrick stated that his son Christopher Herrick lives at 19 Francis Street. The history on this is that his family has lived at this address for nearly 50 years. Twenty years ago Modern Continental tried to put a road there and he went to the meeting to ask that they not do this because their septic system is on that land. The town refused to sell the property at that time.

Christopher Herrick stated that the septic system is 6' off of his driveway.

Mr. Hayden stated that if the septic is on this proposed road it is on the 3 Wren Circle property which is private property.

Joseph Cimino of 31 Northridge stated that they are concerned with the water that will be running off the hill once the property is built.

Michael O'Neill stated that the water will be detained by a detention pond.

Mr. Hayden stated that the house will not be built in the water table and therefore there should be no extra water coming into Northridge.

Michael O'Neill stated that if the septic system is 6' off of the existing driveway at 19 Francis it will not be in the roadway.

Joseph Cimino stated that they also have a resident in Northridge who has been given permission to plant on the hill of the 3 Wren Circle property and it is not attractive and they would like the board to ask the owner to make her stop.

Mr. Hayden stated that that is a private issue and would need to be discussed with the owner of the property.

Chris Herrick stated that he recently had to do a new septic system and he hit bedrock at 9'. He also wanted to know what would happen to the utility pole that is in the middle of the proposed private way.

Mr. Hayden stated that it would be moved.

Chris Herrick asked if the trees were going to cut for the private way, and if so, he would like to have some type of buffer replace the trees.

Michael O'Neill stated that trees would need to be cut, but there are currently no trees on Mr. Herrick's property and therefore the only trees that will be cut will be on the applicant's property.

The public hearing was continued to November 17, 2015 @ 8:00pm.

Hanson/Chester Road (Amend Declaration of Mutual Maintenance Agreement)

Attorney Donald Borenstein stated that he is representing Marsha Sullivan. There is a two acre lot and a ¼ acre lot owned by Marsha Sullivan. They are asking for an amendment to the roadway maintenance plan which basically states that "any future repairs, upkeep, snow removal, would have to be shared equally by the two lots." The lots are currently on the market and the original plan was to sell the two lots together, but now it looks like the large lot may be more sellable than the smaller lot at this time. They want to amend the roadway maintenance agreement to say "that the large lot will bare all the maintenance responsibility for the roadway until the smaller lot is sold."

Mr. Hayden stated that under no circumstance will there will be no one responsible for the private roadway.

Attorney Borenstein stated that it is very remote that someone would build out the road and not build a house. But after speaking to Mrs. McKnight he then added some language to the amendment, that in that circumstance "whoever builds out the road will own the maintenance responsibilities until someone pulls a building permit."

Mr. Hayden stated that he also noted that the shared driveway was changed in the amendment to private.

Mrs. Romeo moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to approve the request to amend the Declaration of Mutual Maintenance Agreement for a private way. Lots identified as "Map 9/Parcels 52 and 63 as shown on a plan entitled "Unaccepted Street Improvement Plan, Hanson Road, North Reading, Ma. 01864; dated 10/20/2008, revised 1/2/2009; drawn by JM Associates.

144 Main Street – parking discussion

Peter Panadosi, manager of 142 and 144 Main Street Realty stated that they have made improvements to the site. They have leased this property out to two separate businesses. They have encountered a problem with the tanker truck coming to fuel the gas station. They were asked to move the cars because it was a hindrance for the truck to go on and off the site and they were moved to the other side of the property. He would like to make a modification to the approved site plan, but would like to get some feedback from the board before they actually make the modification.

Mr. Hayden stated that he went by the site and there were at least ten cars parked around the perimeter. If the cars were parked at an angle the tanker truck would not have a problem. The board is concerned about the cars parked on the left side for access to the gas station, two bays and exiting the gas station.

Peter Panadosi stated that there was a communication problem when the leases were set up. He could do a traffic flow out of the gas station.

Mr. Hayden asked if the three spots on the left were given to the car sale business in the lease.

Peter Panadosi stated that they were.

Mr. Hayden stated that this was never part of the site plan approval.

Mr. Pearce asked if the plan is to park three cars on that side.

Peter Panadosi stated that is what is in the lease and there is still not a lot of leeway when the truck comes in.

Mr. Pearce asked if they were limited to the six cars, as shown on the site plan, by the Board of Selectmen.

Mrs. McKnight stated that she is unsure.

Mr. Hayden stated that if this is referenced in their decision the Board of Selectmen may hold them to it.

Mr. Pearce stated that if they do a new site plan and substantially justify the change. Example: Angle three cars closer to the building on the left side and then only have three on the right.

Mrs. Romeo stated that she keeps hearing that there was a miss-communication, and she believes that there was because this used car business was a very minor part of the use of the site. What she heard was that it was a gas station and the used car business was a minor part of the whole operation. There was going to be fencing and very few cars would be visible. Now it is a major part of the site plan. She has also received a lot of complaints in regard to this.

Mr. Pearce stated that he agrees that this was a minor part of the site plan. But, when he saw the site plan and saw the huge area on the side dedicated towards cars for storage and repair it became clear to him that there was going to be a mass movement of cars.

Mr. Hayden stated that he does not believe that they will be able to get three cars on the left side because there is also a gate in that location.

Mr. Panadosi stated that he had a diagram of the property to show to the board. The problem is that there is an existing light post that has not been taken out, which they could do. He then showed them where he could angle the cars.

Mr. Hayden asked where the car doors on the garage because this would be an issue, if cars were parked in this area and blocked them.

Mr. Panadosi stated that they dedicated the back area for parking cars. They have petitioned the Board of Selectmen to provide diesel fuel. They would be transferring one of the 10,000 gallon tanks to a diesel pump, for better service to the community and also reduces the combustible amounts in the ground from 30,000 to 20,000. Once this construction is completed the area will be seal coated and striped.

Mr. Bellavance stated that he used to hang out at this gas station when he was in high school and the whole site used to be wrapped with cars and trucks pulling in and out. He hates the look of all the cars there and the plan that is now being shown by Mr. Panadosi makes it look even more like a huge hunk of cars. He does not like the idea of the cars blocking the garage doors. He pulled through one day and could not see down the road to get across. He does not want to see all of these cars parked in front. This was the whole purpose for the fencing. It looks like it is becoming the same as it was before.

Mr. Veno asked if the six spaces are for cars that would be worked on in the gas station.

Mr. Panadosi stated that the six spaces are for customers. The area shown on the plan stating "Storage of vehicles for repair & preparing for sale" is the area where the cars should be parked for the garage.

Mr. Veno stated that he has seen a couple of cars, but thought if the proprietor for the gas station must not mind. What does bother him is that what was shown on the site plan is not what was given to the tenants in their lease and he feels that this is wrong.

Mr. Panadosi stated that he is trying to do the best that he can. Unfortunately, the representation that was given, was not given by him, that is why he is here tonight to try to correct the problem.

Mr. Hayden stated that the reason given that the gas tankers cannot get in to deliver, is not a legitimate reason. At the time that this was present the board wondered why you would want to put the cars for sale on the opposite side of the office.

Mr. Veno stated that they have done a wonderful job cleaning up the site.

Mr. Panadosi stated that if it pleases the board that they move the fence back from the roadway and place the cars for sale in front of it that is something that they would consider doing.

Mr. Hayden stated that they would need to have a new plan drawn.

Mr. Panadosi stated that LJR Engineering is working on a plan.

Mr. Panadosi stated that the only issue that the Board of Selectmen may have with this is that this is a different address from the license that was given by them.

Mr. Pearce stated that he believes that it would work the way it is if the cars are angled parked and pulled back to the fence.

Mrs. McKnight stated that if the license is issued to 142 Main Street, and the cars end up on 144 Main Street, the license will need to be changed.

Mr. Pearce stated that the gate may have to be moved, but if the cars are angled it may not need to be used.

Mr. Hayden stated that they definitely need to be parked in the spots that the site plan shows until a modification is approved. The other issue that he would have is if the six cars are not

going to be parked on the right because of the tanker truck, is that they cannot be filled with cars every which way in there.

Mr. Panadosi stated that he will convey this message, but he believes that once they have the diesel fuel installed and the parking is defined with signs will change the way the cars are parked.

Mr. Pearce stated that the diesel tankers are much larger and will need a wider radius to make the turn. The trucks that will be coming in for fuel will also be much larger and will have a hard time making the turns.

Mr. Panadosi stated that diesel pump will be on the outer side of the station and there will be height restrictions.

Planning Administrator Update

J.T. Berry Property

Mrs. McKnight stated that survey is underway and there should be a draft if it sometime next week and the closing date for the property is November 30th.

Master Plan Workshop

Mrs. McKnight stated that Mr. Hayden and Mr. Bellavance attended the Citizen Planner Trainer Collaborative master plan training with her. She put the training materials into the dropbox for the board's review.

Charles Street Ext.

Mrs. McKnight stated that the easement should be signed by Friday and Kip Ivester has told her that his insurance certificate will be filed tomorrow.

Mr. Bellavance stated that he drove by and there is no erosion control and the sediment/dirt is coming down the hill and this should be fixed.

Kinder Morgan

Mrs. McKnight stated that there will be a workshop on November 12, 2015 for the property owners/abutters that will be affected by the pipeline.

Permitting Guide

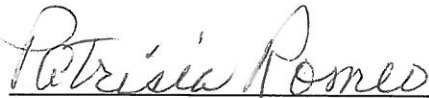
Mrs. McKnight stated that she has been working on the draft and has shared with other departments.

4 Pluff Avenue

Mrs. McKnight stated that TZE, 299 Main Street is planning to expand into 4 Pluff Avenue and the planning department should receive a submittal of a Site Plan Review when they decide to start the expansion.

Adjournment at 10:15PM

Respectfully submitted,

A handwritten signature in cursive script, reading "Patricia Romeo", is written over a horizontal line.

Patricia Romeo, Clerk